

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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JILL L. OTIS,

Plaintiff,

Case No. 21-cv-956-pp

v.

COUNTY/STATE THE PEOPLE and  
REBECKEN SACGAW,

Defendants.

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**ORDER DENYING THE PLAINTIFF'S MOTION FOR LEAVE TO PROCEED  
WITHOUT PREPAYING THE FILING FEES ON APPEAL (DKT. NO. 13)**

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On June 13, 2022, the plaintiff filed an “affidavit accompanying motion for permission to appeal *in forma pauperis*” using the form available on the Eastern District of Wisconsin’s website. Dkt. No. 13. The Federal Rules of Appellate Procedure allow a party in a district court case who wants to appeal without prepaying the appellate filing fee to file a motion with an affidavit that: (1) shows the party’s inability to pay or to give security for fees and costs; (2) claims an entitlement to redress; and (3) states the issues that the party intends to present on appeal. Fed. R. App. P. 24(a)(1). If the district court allowed the party to proceed without prepaying the filing fee, the party may appeal without prepaying the filing fee unless the district court certifies that the party has not appealed in good faith or the party is not otherwise entitled to proceed without prepaying the filing fee. Fed. R. App. P. 24(a)(3).

At the district court level, Magistrate Judge Stephen Dries denied as moot the plaintiff's motion for leave to proceed without prepaying the filing fees. Dkt. No. 4. The plaintiff never appealed that order, so the district court never has granted her permission to proceed in the district court without prepaying the filing fee. Although the court is satisfied that the plaintiff does not have the ability to pay the \$505 filing fee, she has not identified the issue that she intends to appeal; the section titled "My issues on appeal are:" on the first page of her affidavit is blank. Dkt. No. 14 at 1. Judge Dries also recommended that this court dismiss the case as frivolous, dkt. no. 4, and this court overruled the plaintiff's objections to that recommendation and dismissed the case, dkt. no. 6. As the court explained to the plaintiff in its April 25, 2022 order of dismissal, the defendants she has named can't be sued, it is not a violation of a person's civil rights to hang up on that person or turn signs around on the streets and the allegations in the complaint must be related in time and place. Id. Because the plaintiff has not identified which of those rulings she intends to appeal or why, the court will deny the plaintiff's motion to appeal without prepaying the filing fee.

The court **DENIES** the plaintiff's motion to proceed without prepaying the filing fees on appeal. Dkt. No. 14.

Dated in Milwaukee, Wisconsin this 24th day of June, 2022.

**BY THE COURT:**

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

**HON. PAMELA PEPPER**  
**Chief United States District Judge**